

## FACT SHEET

as required by LAC 33:IX.2413, for draft Louisiana Pollutant Discharge Elimination System Permit No. LA0036421 to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The permitting authority for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** City of Baton Rouge and Parish of East Baton Rouge  
Central Wastewater Treatment Plant  
2443 River Road  
Baton Rouge, LA 70807
- II. **PREPARED BY:** Paula M. Roberts  
**DATE PREPARED:** April 2, 2007
- III. **PERMIT ACTION:** Revoke and Reissue LPDES permit LA0036421/AI 4842 with an effective date of September 1, 2003.

The permittee submitted an LPDES Permit modification application on October 7, 2005, requesting the addition of a second external outfall. Since the current LPDES permit will expire in less than 2 years, the option of revoke and reissue is being exercised with the reissuance of this permit instead of a modification to the permit.  
EPA has retained enforcement authority

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of treated sanitary wastewater from an existing publicly owned treatment works.
- B. The application does indicate the receipt of industrial wastewater. The industrial dischargers that contribute only sanitary wastewater include:

<u>Name of Discharger</u>	<u>Flow</u>
Baton Rouge Hilton	60,679 GPD
Louisiana State University - Outfall 001	450,000 GPD
Louisiana State University - Outfall 002	49,500 GPD
Louisiana State University - Outfall 003	1040 GPD
Louisiana State University - Outfall 004	20,000 GPD
Saint James Place of Baton Rouge - Outfall 001	12,500 GPD
Saint James Place of Baton Rouge - Outfall 002	12,500 GPD
Pennington Biomedical Research Outfall 001	64,851 GPD
Embassy Suites - Outfall 001	39,038 GPD

The industrial dischargers that contribute process and sanitary wastewater include:

Flowers Bakery	19,198 GPD
Cintas Corporation	20,000 GPD
Manda Packaging Company	35,000 GPD
Baton Rouge General Medical Center	110,000 GPD
Louisiana State University-Main lift station	1,278,167 GPD

- C. The facility is located at 2443 River Road; East Baton Rouge Parish, Louisiana.

D. The treatment process consists of bar screen, grit removal, primary settling with chemical addition, trickling filtration, secondary settling, disinfection by chlorination, and dechlorination by sulfur dioxide.

E. Outfall 001

Discharge Location: Latitude 30° 25' 18" North  
Longitude 91° 11' 43" West

Description: treated sanitary wastewater

Design Flow: 31.6 MGD

Type of Flow Measurement that the facility is currently using: Continuous Totalizer

This is the primary outfall for the discharge from this plant.

Outfall 002

Discharge Location: Latitude 30° 25' 25" North  
Longitude 91° 11' 41" West

Description: treated sanitary wastewater

Design Flow: 31.6 MGD

Type of Flow Measurement that the facility is currently using: Continuous Totalizer

This outfall will be used intermittently or during high river stages. During times of rehab or repairs to the primary outfall pipe, this outfall offers an alternate location to discharge. The sample location is the same as Outfall 001, at the last treatment unit prior to mixing with other waters.

V. RECEIVING WATERS:

The discharge is into the Mississippi River in segment 070301 of the Mississippi River Basin. This segment is not listed on the 303(d) list of impaired waterbodies.

The critical low flow (7Q10) of Mississippi is 141955 cfs.

The hardness value is 150.5 mg/l and the fifteenth percentile value for TSS is 23 mg/l.

The designated uses and degree of support for Segment 070301 of the Mississippi River Basin are as indicated in the table below<sup>1/</sup>:

Overall Degree of Support for Segment 070301	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Full	Full	Full	Full	N/A	Full	N/A	N/A

<sup>1/</sup>The designated uses and degree of support for Segment 070301 of the Mississippi River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2002 Water Quality Management Plan, Volume 5, Part B, Water Quality Inventory respectively.

Subsegment 070301, Mississippi River-From Monte Sano Bayou to Head of Passes, is listed on LDEQs Final 2004 305(b)/303(d) Integrated Report dated August 17, 2005 as fully supporting its designated uses for this waterbody. To date no TMDLs have been done for the Mississippi River Basin. A reopener clause will be established in the permit to allow for future requirements should it be deemed necessary. In view of this information, the monitor and report requirement for TKN and phosphorus that was placed in the previous permit is being removed.

**VI. ENDANGERED SPECIES:**

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin is listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, further informal (Section 7, Endangered Species Act) consultation is required. A copy of the fact sheet and draft permit will be sent to the U.S. Fish and Wildlife Service (FWS) to evaluate if the discharge will be a threat to the conservation of the threatened and endangered species of Pallid Sturgeon.

**VII. HISTORIC SITES:**

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. The new construction is complete and included the addition of an outfall which is located just to the right of the current outfall. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

**VIII. PUBLIC NOTICE:**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit to the LDEQ contact person, listed below, and may request a public hearing to clarify issues involved in the permit decision. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation  
Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Ms. Paula M. Roberts  
Permits Division  
Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

**IX. PROPOSED PERMIT LIMITS:**

**OUTFALL 001/002**

**Final Effluent Limits:**

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
BOD <sub>5</sub>	7906	30 mg/l	45 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this type of treatment and size which discharge into the Mississippi River, and previous permit conditions.
TSS	7906	30 mg/l	45 mg/l	

**Other Effluent Limitations**

**1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

**2) pH**

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

**3) Solids and Foam**

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

**4) Total Residual Chlorine**

If chlorination is used to achieve the limitations on Fecal Coliform Bacteria, the effluent shall contain a limit of 0.78 mg/l for Total Residual Chlorine (TRC). The TRC shall be monitored daily by grab sample.

### Priority Pollutants

**Numeric Toxic Limits:** LDEQ has reviewed and evaluated the Toxic Substances Report submitted by the permittee on **February 7, 2006**. The results revealed that none of the pollutants regulated by LAC 33:IX.1113.C.6. were in need of further examination using the implementation procedures outlined under the Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards, October 30, 1995.

### Toxicity Characteristics

The following biomonitoring requirement shall be the same for Outfall(s) 001 and 002.

In accordance with EPA's Region 6 post-Third Toxics Strategy, permits issued to treatment works treating domestic wastewater with a flow (design or expected) greater than or equal to 1 MGD shall require biomonitoring at some frequency for the life of the permit or where available data show reasonable potential to cause lethality, the permit shall require a whole effluent toxicity (WET) limit (*Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards, September 27, 2001* VERISON 4).

Whole effluent biomonitoring is the most direct measure of potential toxicity that incorporates the effects of synergism of the effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity. LAC 33:IX.1121.B.3. provides for the use of biomonitoring to monitor the effluent for protection of State waters. The biomonitoring procedures stipulated as a condition of this permit are as follows:

The permittee shall submit the results of any biomonitoring testings performed in accordance with the LPDES Permit No. LA0036421, Part II, **Section E** for the organisms indicated below.

#### TOXICITY TESTS

#### FREQUENCY

Acute static renewal 48-hour definitive toxicity using <u>Daphnia pulex</u> (Method 1002.0)	1/quarter
Acute static renewal 48-hour definitive toxicity using fathead minnow ( <u>Pimephales promelas</u> ) (method 1000.0)	1/quarter

**Dilution Series** - The permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests. These additional concentrations shall be **0.4%, 0.6%, 0.8%, 1.0%, and 1.4%**. The low-flow effluent concentration (critical low-flow dilution) is defined as 1.0% effluent, (the 10:1 Acute-to-Chronic ratio has been implemented because the critical dilution is less than 5%). The critical dilution is calculated on page 1 in Appendix B-1 of this fact sheet. Results of all dilutions shall be documented in a full report according to the test method publication mentioned in Part II **Section E** under Whole Effluent Toxicity. This full report shall be submitted to the Office of Environmental Compliance as contained in the Reporting Paragraph located in Part II **Section E** of the permit.

The permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body. Modification or revocation of the permit is subject to the provisions of LAC 33:IX.2903. Accelerated or intensified toxicity testing may be required in accordance with Section 308 of the Clean Water Act.

### Toxic Substances

The permittee is required to monitor for additional toxic substances due to the designated use of the receiving waterbody as a drinking water supply. The permittee shall analyze the final effluent for the presence of the following toxic substances in accordance with the monitoring and reporting requirements listed in **Part II, Section D, Toxic Substances**, page 17 of this permit.

1. Results must be submitted to the Office of Environmental Compliance within 20 days following the receipt of the analytical results. The first analysis shall be performed within six months following the effective date of the permit, and every six months thereafter. To avoid redundancy, the results of similar parameter(s), monitored in accordance with the Pretreatment Requirements in Part II, Section C of the permit will be accepted in lieu of this required analysis.
2. Results must be submitted to the following address:

Department of Environmental Quality  
Office of Environmental Compliance  
Post Office Box 4312  
Baton Rouge, Louisiana 70821-4312

### Toxic Substances (CAS No.)

<u>Volatile Organic Chemicals</u>	<u>Required MQL (ug/l)</u>	<u>EPA Test Method</u>
acrolein (107-02-8)	50	624
acrylonitrile (107-13-1)	50	624
benzene (71-43-2)	10	624
bromodichloromethane (dichlorobromomethane) (75-27-4)	10	624
bromoform (tribromomethane) (75-25-2)	10	624
carbon tetrachloride (56-23-5)	10	624
chlorobenzene (108-90-7)	10	624
chloroform (trichloromethane)	10	624
chloromethane (methyl chloride) (74-87-3)	50	624
1,1-dichloroethane (75-34-3)	10	624
1,2-dichloroethane (107-06-2)	10	624
1,1-dichloroethylene (75-35-4)	10	624
dichloromethane (methylene chloride) (75-09-2)	20	624
cis-1,3-dichloropropene	10	624
trans-1,3-dichloropropene	10	624
ethylbenzene (100-41-4)	10	624
para-dichlorobenzene*	---	---

Toxic Substances (continued)

<u>Volatile Organic Chemicals</u>	<u>Required MQL (ug/l)</u>	<u>EPA Test Method</u>
1,1,2,2-tetrachloroethane (79-34-5)	10	624
tetrachloroethylene (127-18-4)	10	624
toluene (108-88-3)	10	624
1,1,1-trichloroethane (71-55-6)	10	624
1,1,2-trichloroethane (79-00-5)	10	624
trichloroethylene (79-01-6)	10	624
vinyl chloride (chloroethylene) (75-01-4)	10	624
<u>Acid Extractable Organic Chemicals</u>		
2-chlorophenol (95-57-8)	10	625
3-chlorophenol	10	625
4-chlorophenol	10	625
2,4-dichlorophenol (120-83-2)	10	625
2,3-dichlorophenol	10	625
2,5-dichlorophenol	10	625
2,6-dichlorophenol	10	625
3,4-dichlorophenol	10	625
2,4-dinitrophenol (51-28-5)	50	625
pentachlorophenol (87-86-5)	50	625
phenol (108-95-2)	10	625
2,4,6-trichlorophenol (88-06-2)	10	625
<u>Base/Neutral Extractable Organic Chemicals</u>		
anthracene (120-12-7)	10	625
benzidine (92-87-5)	50	625
bis(2-chloroethyl)ether (111-44-4)	10	625
bis(2-chloro-1-methylethyl)ether (39638-32-9)	10	625
bis(2-ethylhexyl)phthalate (117-81-7)	10	625
di-n-butyl phthalate (84-74-3)	10	625
1,3-dichlorobenzene (541-73-1)	10	625
1,2-dichlorobenzene (95-50-1)	10	625
1,4-dichlorobenzene (106-46-7)	10	625
3,3-dichlorobenzidine (91-94-1)	50	625
diethyl phthalate (84-66-2)	10	625
dimethyl phthalate (131-11-3)	10	625
2,4-dinitrotoluene (121-14-2)	10	625
1,2-diphenylhydrazine (122-66-7)	20	625
fluoranthene (206-44-0)	10	625
hexachlorobenzene (118-07-1)	10	625
hexachlorobutadiene (87-68-3)	10	625
hexachlorocyclopentadiene (77-47-4)	10	625
hexachloroethane (67-72-1)	20	625
isophorone (78-59-1)	10	625
nitrobenzene (98-95-3)	10	625
N-nitrosodimethylamine (62-75-9)	50	625
N-nitrosodiphenylamine (86-30-6)	20	625

Toxic Substances (continued)

<u>Pesticides &amp; PCB's</u>	<u>Required MQL (ug/l)</u>	<u>EPA Test Method</u>
aldrin (309-00-2)	0.05	608
PCB's (Total)	1.0	608
gamma-BHC (Lindane, Hexachlorocyclohexane) (58-89-9)	0.05	608
chlordane (57-74-9)	0.2	608
4,4"DDD (TDE) (72-54-8)	0.1	608
4,4"DDE (72-55-9)	0.1	608
4,4"DDT (50-29-3)	0.1	608
dieldrin (60-57-1)	0.1	608
endosulfan I (alpha) (115-29-7)	0.1	608
endosulfan II (beta) (115-29-7)	0.1	608
endrin (72-20-8)	0.1	608
heptachlor (76-44-8)	0.05	608
methoxychlor*	---	---
2,3,7,8-tetrachlorodibenzo-p-dioxin (1764-01-6)	**	625
toxaphene (8001-35-2)	5.0	608
2,4-dichlorophenoxyacetic acid (2,4-D) (94-75-7)	10	509B
2-(2,4,5-trichlorophenoxy)propionic acid (2,4,5-TP, Silvex)	4	509B
<u>Metals</u>		
antimony (7440-36-0)	60	200.7
arsenic (7440-38-2)	10	206.2
barium*	---	---
beryllium (7440-41-7)	5	200.7
cadmium (7440-43-9)	1	213.2
chromium III (16065-83-1)	10	200.7
chromium VI (7440-47-3)	10	200.7
copper (7550-50-8)	10	220.2
lead (7439-92-1)	5	239.2
flouride*	---	---
mercury (7439-97-6)	0.2	245.1
nickel (7440-02-0)	40	200.7
lead (7439-92-1)	5	239.2
flouride*	---	---
mercury (7439-97-6)	0.2	245.1
nickel (7440-02-0)	40	200.7
nitrate (as N)*	---	---
selenium (7782-49-2)	5	270.2
silver (7440-22-4)	2	272.2
thallium (7440-28-0)	10	279.2
zinc (7440-66-6)	20	200.7
<u>MISCELLANEOUS</u>		
cyanide	10	335.2
total phenols	5	420.1

\* In addition to the effluent lab result for this pollutant, also report MQL and Test Method used.



**\*\*** Method 625 is a nonquantitative screen that is used to ascertain a positive or negative result. With proper QA/QC techniques, a positive result can be expected at a level above 1 ppm. If this test yields a positive response, then method 613 would be appropriate to establish the quantitative value. Method 613 requires use of the dioxin standard that is dangerous and should not be used unnecessarily.

**X. PREVIOUS PERMITS:**

**LPDES Permit No. LA0036412:**      Effective: September 1, 2003  
Expires: August 31, 2008

**Final limits beginning the effective date of the permit and lasting through the expiration date of the permit. Design Capacity: 31.6 MGD**

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Monitoring Requirements</u>	
	lbs./day	other units			Measurement	Sample
	Monthly	Monthly	Weekly	Monthly Avg	Frequency	Type
	<u>Avg.</u>	<u>Avg.</u>	<u>Max</u>	<u>% Removal</u>		
Flow	N/A	Report	Report	---	Continuous	Recorder
BOD <sub>5</sub>	7906	30 mg/l	45 mg/l	85% Minimum	1/day	24-hr. comp
TSS	7906	30 mg/l	45 mg/l	85% Minimum	1/day	24-hr. comp
Phosphorus	Report	Report	Report	N/A	1/quarter	Grab
Kjeldahl-Nitrogen						
(Total as N)	Report	Report	Report	N/A	1/quarter	Grab
Fecal Coliform Colonies*		200	400	---	1/day	Grab
Total Residual Chlorine*		0.78 mg/l		---	1/day	Grab
Toxic Substances	Report(ug/l)	Report(ug/l)	N/A	N/A	1/6 months	24-hr.comp
Toxicity Testing (48-Hr. Static Renewal)						
<b>Daphnia pulex</b>	----	----	----	----	1/year	24-hr. comp
<b>Pimephales promelas</b>	----	----	----	----	1/year	24-hr. comp

  

<u>Influent Characteristic</u>	<u>Discharge Limitations</u>			<u>Monitoring Requirements</u>	
	lbs./day	other units		Measurement	Sample
	Monthly	Monthly	Weekly	Frequency	Type
	<u>Avg.</u>	<u>Avg.</u>	<u>Max</u>		
BOD <sub>5</sub>	Report	Report(mg/l)	Report(mg/l)	1/day	24-hr. comp
TSS	Report	Report(mg/l)	Report(mg/l)	1/day	24-hr. comp

The permit contains a fully approved pretreatment program.  
The permit contains biomonitoring language.  
The permit contains pollution prevention language.

**XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:**

**A) Inspections**

A review of the files indicates the following inspections were performed during the period beginning **September 2006** and ending **September 2004** for this facility.

**Date – March 29, 2006**

**Inspector(s) - William J. Puissegur, LDEQ/Capitol Regional Office**

**Findings and/or Violations:**

1. New LPDES permit became effective on September 1, 2003.
2. DMRs for January 2005-February 2006 were reviewed. The facility experienced a fecal coliform permit exceedance during 2/06. The exceedance was possibly caused by chlorine regulator valve feed problems experienced at the time.
3. The MWPP Environmental Audit Report for the period of September 1, 2004-August 31, 2005 was reviewed. There were twenty-five equipment failure related bypasses/overflows. (Collection system - 24, Treatment plant - 1). Additionally twelve overflows were reported during September 2005-February 2006; six of which were attributed to Hurricanes Katrina and Rita.
4. Bar screen cleanings hopper drainage was flowing off of the concrete pad via an unsealed joint to surrounding soil – slight discharge.
5. The roll-off box used for grit collection was leaking as it was being driven down facility road for off-site grit disposal.
6. Primary basins No. 3 & 4 flight board gear drives were without guards.
7. A unauthorized process wastewater discharge was originating at the snail removal (screenings) station and flowing off-site via a small earthen ditch. The snail screening box and roll-off box used to collect snail screen cleanings were leaking. Discharge to the earthen ditch was slight at the time of inspection.
8. Belt pressed sludge was sticking to the press belt-sludge too wet.
9. Effluent flow meters are calibrated twice/year. Flow meter calibrations are not spanned across flow ranges. Routine flow meter calibration checks are not performed. Weir staff gauges were not present.
10. The Central Plant lab performs permit required analyses for Central, North, and South WWTP. All areas evaluated in the lab appeared to be satisfactory.

**Date – November 22, 2004**

**Inspector(s) - William J. Puissegur, LDEQ/Capitol Regional Office**

**Findings and/or Violations:**

1. New LPDES permit became effective on September 1, 2003.
2. January 2004-October 2004, Discharge Monitoring Reports were reviewed. There were no reported permit exceedances/violations during the interval.
3. Final clarifier #1 has been repaired. Final clarifiers #3 remains out of service, and is scheduled for repair with the upcoming outfall projects.
4. Trickling filter #3 down for center shaft replacement. The repair bid has been awarded. All trickle filters will be rehabilitated.
5. Heavy white foam was present in the chlorine contact basins and final effluent wet well. Foaming appears to have been caused by recent heavy rainfall.
6. Facility lab has corrected the BOD<sub>5</sub> method arriving at % depletion for seed correction factor determination.
7. Facility lab is in the process of changing TRC analytical methods. An Amperometric Titration meter has been ordered. Lab now uses 0.2, 1.00 and 5.00 ppm chlorine standard dilutions.

**B) Compliance and/or Administrative Orders**

*A review of the files indicates the following most recent enforcement actions administered against this facility:*

**EPA Issuance:**

Docket # - Civil Action No. 01-978-B--M3

Entered - March 11, 2002

**NOTE:** This Consent Decree supercedes and replaces the December 23, 1988 Modified Consent Decree. This consent Decree requires the City of Baton Rouge and the Parish of East Baton Rouge to carry out the following measures:

### **BINDING EFFECT**

The provisions of this Consent Decree shall apply to and be binding on the Parties, their officers, directors, employees, agents, servants, successors and assigns, and all persons, firms, and corporations in active concert or participation with the Parties and/or the Parties' officers, directors, agents, employees, servants, successors and assigns.

### **OBJECTIVES**

Require the City/Parish to achieve and maintain compliance with its NPDES permits and the CWA; Require the City/Parish to perform the Work required by this Consent Decree in compliance with the applicable schedules; and to further the goals and objectives of the CWA, particularly Sections 101, 301, and 307, 33U.S.C. § 1251, 1311, 1317.

### **REMEDIAL MEASURES**

Elimination of Cross Connections - The City/Parish certifies that it has permanently closed or eliminated all known cross connections in the collection system and if any cross connections are identified, they will be permanently sealed or eliminated.

Preventive Maintenance Program Plans - The City/Parish shall design a collection system preventive maintenance program plan to ensure proper operation and maintenance of the North, Central, and South Plant Collection systems on a day-to-day basis in compliance with the CWA and NPDES permit nos. LA0036439, LA0036412, and LA0036421 and to the extent applicable, the interim effluent limits listed in Section XVI of the Consent Decree.

Sanitary Sewer Overflow Response Plan - The City/Parish shall implement the sanitary sewer overflow response plan ("SSO Response Plan") attached to the consent decree.

#### **Reporting of Unauthorized Discharges**

- 1) The City/Parish shall report all unauthorized discharges of which it becomes aware to EPA and LDEQ. All such unauthorized discharges should be reported in a quarterly report.
- 2) The City/Parish shall orally report all unauthorized discharges which have a measurable impact on human health or the environment (e.g. fish kills) to EPA and LDEQ by telephone within twenty-four (24) hours of the time the unauthorized discharge occurs. Within five days, after the unauthorized discharge, the City/Parish shall submit a written report to EPA and LDES addressing the items set forth in the Quarterly Report.

#### **Collection System Remedial Plan**

- 1) The City/Parish is undertaking a comprehensive collection system remedial action program. The program is intended to minimize and prevent unauthorized discharges from the collection systems for the North, Central, and South Plants. The program is in progress and will be completed, subject to the provisions of the consent decree.
- 2) During the period from Entry of the Consent Decree until the City/Parish meets the milestone specified in Paragraph 34(D) of the Consent Decree, the City/Parish shall spend at least \$3 million per year for sewer repairs, sewer rehabilitation, and other capital needs related to reduction of Infiltration and Inflow (I&I) into the North, Central, and South Plant Collection Systems.

Treatment Facility Assessment- No later than March 30, 2002, the City/Parish shall submit to EPA and LDEQ for review and approval a Treatment Facility Assessment Report which assesses the treatment capabilities of the North, Central, and South Plants. The Treatment Facility Assessment Report shall analyze (1) the hydraulic and organic design capacity and current and projected loading of each plant, including peak and low flows and (2) the ability of the plant to meet effluent limitations required by the applicable NPDES permit. The Treatment Facility Assessment Report shall evaluate whether improvement or expansion of the North, Central,

and/or South Plant are required to allow the plants to handle projected loading while fully complying with the applicable NPDES permit and whether any change(s) in the current operation and/or maintenance of the North, Central, and/or South Plants will be required to attain or maintain compliance with the applicable NPDES permit.

Environmental Results Monitoring Plan - The City/Parish shall implement the Environmental Results Monitoring Plan attached as Exhibit G to the consent decree. The Environmental Results Monitoring Plan is designed to measure environmental benefits resulting from the work performed under the consent decree through measurement of water quality improvements.

#### **SUPPLEMENTAL ENVIRONMENTAL PROJECTS**

The City/Parish shall conduct a Supplemental Environmental Project (SEP) in accordance with the SEP Plan Requirements attached as Exhibit J. The SEP will consist of connecting sewage lines in certain subdivisions and urbanized areas within the City/Parish to the City/Parish treatment plants. The SEP will be completed in accordance with the schedule specified in the SEP Plan Requirements. These projects include: 91) Donwood/Oak Manor; (2) Pleasant Hills/Green Acres Project; (3) Sharon Hills/Cedar Glen/Pleasant Hills Project; and the (3) Stumberg Lane Project.

#### **OUTREACH AND PUBLIC AWARENESS**

The City/Parish shall implement the Outreach and Public Awareness Program. This public education program will assist in fulfilling the purpose of the Consent Decree by advising the public of steps they can take to minimize impact on the collection system, improve environmental compliance, and educate local groups.

#### **INTERIM EFFLUENT LIMITS**

This interim relief provision shall be in effect beginning on the Date of Entry of the Consent Decree and ending on the date of completion of construction and fully operational status achieved pursuant to Paragraph 34(D). During this period, the City/Parish shall not be liable for stipulated penalties for failure to comply with the Eighty-Five Percent Rule as specified in NPDES permits LA0036412, LA0036421, and LA0036439 provided that the thirty (30) day average amount of BOD and TSS in the wastewater discharged from the North, Central, and South plants is at least seventy-five percent (75%) less than the amount of BOD and TSS in the sewage entering the plant.

#### **STIPULATED PENALITIES**

This Consent Decree provided for the following Stipulated Penalties: 1) Past Stipulated penalties; 2) Failure to Submit Timely Reports; 3) Failure to Submit Timely and Complete Second RMAP; 4) Failure to meet RMAP and Construction Milestones; 5) Pre-Remedial Action Unauthorized Discharges; 6) Post Remedial Action Unauthorized Discharges; 7) Non-Compliant Discharge; and 8) Supplemental Environmental Projects.

#### **Not A Permit/Compliance with Other Statutes/Regulations**

The Consent Decree is not and shall not be construed as a permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342, nor as a modification of any existing permit so issued, nor shall it in any way relieve the City/Parish of their obligations to obtain and maintain NPDES permits for the North, Central, and South Plant or any other part of their wastewater treatment and collection system or facilities and to comply with the requirements of any NPDES permit; Section XVI (Interim Effluent Limits), if applicable federal or state law or regulation. Any new permit, or modification of existing permits, must be complied with in accordance with applicable federal and state laws and regulations.

**C) DMR Review**

A review of the discharge monitoring reports for the period beginning July 2006 through July 2004 has revealed the following violations:

<u>Effluent Characteristic</u>	<u>Number of Violations</u>
Fecal Coliform Maximum	2
BOD <sub>5</sub> 85 % Removal	8

**XII. ADDITIONAL INFORMATION:**

Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity flow 31.6 MGD. Effluent loadings are calculated as shown in the following example:

$$\text{BOD} = 8.34 \times 31.6 \text{ MGD} \times 30 \text{ mg/l} = 7906 \text{ lbs/day}$$

At present, the Monitoring Requirements, Sample Types, and Frequency of Sampling as shown in the permit are standard for facilities with flows over 10 MGD.

<u>Effluent Characteristics</u>	<u>Monitoring Requirements</u>	
	<u>Measurement</u>	<u>Sample</u>
	<u>Frequency</u>	<u>Type</u>
Flow	Continuous	Recorder
BOD <sub>5</sub>	1/day	24-hr. composite
Total Suspended Solids	1/day	24-hr. composite
Fecal Coliform Bacteria	1/day	Grab
Total Residual Chlorine	1/day	Grab
Toxic Substances	1/6 months	24-hr. composite
Biomonitoring		
<u>Daphnia pulex</u>	1/quarter	24-hr. composite
<u>Pimephales promelas</u>	1/quarter	24-hr. composite
pH	1/day	Grab

**PERCENT REMOVAL**

The Influent Characteristics and the Monthly Average Percent Removal requirements have been removed from Part I (Effluent Limitations) of the permit. The 85% removal requirement is based upon LAC 33:IX.5905.A.3. and B.3. which describes the minimum level of effluent quality attainable by secondary treatment. Even though the 85% removal requirement has been removed from Part I of the permit, it is still a requirement of the LPDES permit (see Part III – Standard Conditions for LPDES Permits).

**TMDL**

Please be aware that the Department will be conducting a TMDL in the Mississippi River Basin scheduled for completion on March 31, 2010. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions as a result of the TMDL. Therefore prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

**PRETREATMENT REQUIREMENTS**

Based upon consultation with LDEQ pretreatment personnel, it is recommended that the City of Baton Rouge and Parish of East Baton Rouge continue to implement their approved program and that LDEQ Pretreatment Option IIA language be included in the renewal permit. Pretreatment program elements are developed and tracked under LPDES permit LA0036412.

**Pollution Prevention Requirements:**

The permittee shall institute or continue programs directed towards pollution prevention. The permittee shall institute or continue programs to improve the operating efficiency and extend the useful life of the facility. The permittee will complete an annual Environmental Audit Report each year for the life of this permit according to the schedule below. The permittee will accomplish this requirement by completing an Environmental Audit Form which has been attached to the permit. All other requirements of the Municipal Wastewater Pollution Prevention Program are contained in Part II of the permit.

The audit evaluation period is as follows:

Audit Period Begins	Audit Period Ends	Audit Report Completion Date
Effective Date of Permit	12 Months from Audit Period Beginning Date	3 Months from Audit Period Ending Date

**Environmental Impact Questionnaire:**

Applicant Comments/Responses (verbatim from applicant)

1. Have the potential and real adverse effects of the proposed facility been avoided to the maximum extent possible?

(Response)

2. Does a cost benefit analysis of the environmental impact costs balanced against the social and economic benefits of the proposed facility demonstrate that the latter outweighs the former?

(Response)

3. Are there alternative projects which would offer more protection to the environment than the proposed facility without unduly curtailing nonenvironmental benefits?

(Response)

4. Are there alternative sites which would offer more protection to the environment than the proposed facility site without unduly curtailing no environmental benefits?

(Response)

5. Are there mitigating measures which would offer more protection to the environment than the facility as proposed without unduly curtailing nonenvironmental benefits?

(Response)

The permittee updated their responses to this questionnaire. Responses are attached to the LPDES Permit Modification Application.

**XIII. TENTATIVE DETERMINATION:**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to revoke and reissue a permit for the discharge described in this Fact Sheet.

#### XIV. REFERENCES:

Louisiana Water Quality Management Plan, Vol. 8, Appendix A "Areawide Effluent Limitations Policy", Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan, Vol. 5, Part B, "Water Quality Inventory", Louisiana Department of Environmental Quality, 2000 and 2002.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards", Louisiana Department of Environmental Quality, 2007.

LA Final 2004 Integrated Report of Section 305(b)/303(d), August 17, 2005.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 23 - "The LPDES Program", Louisiana Department of Environmental Quality, 2007.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Modification Application to Discharge Wastewater, City of Baton Rouge and Parish of East Baton Rouge, Central Wastewater Treatment Plant, October 6, 2005.

Louisiana Pollutant Discharge Elimination System Permit LA0036421 for City of Baton Rouge and Parish of East Baton Rouge, Central Wastewater Treatment Plant, effective date September 1, 2003.

LPDES Permit Renewal Application to Discharge Wastewater, City of Baton Rouge and Parish of East Baton Rouge, Central Wastewater Treatment Plant, June 3, 1998.